

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at GREENEVILLE

JAMES CRAIG THOMAS

v.

SHERIFF MIKE REECE

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No.: 2:13-cv-104  
*Greer/Inman*

**MEMORANDUM**

This is *pro se* prisoner's civil rights action under 42 U.S.C. § 1983. On May 17, 2013, the Court entered an order, directing the Clerk to send plaintiff a service packet and ordering him to complete and return the packet to the Court within twenty (20) days, [Doc. 4]. Plaintiff was also forewarned that, if he failed to comply with the order in a timely fashion, the prosecution of his lawsuit would be jeopardized, [*id.*]. Nearly four months have passed and plaintiff has failed to return the service packet or otherwise respond to the order.

From plaintiff's inaction in this matter, the Court concludes that he no longer wishes to pursue this litigation and, therefore, will **DISMISS** this case by a separate order for his failure to prosecute and to comply with the orders of the Court. Fed. R. Civ. P. 41(b). Lastly, the Court **FINDS** that any appeal from this decision would not be taken in good faith and, accordingly, will also **DENY** plaintiff leave to proceed *in forma pauperis* on appeal. 28 U.S.C. § 1915(a)(3).

**ENTER:**

s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE